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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 **IN RE GOOGLE PLAY STORE**  
12 **ANTITRUST LITIGATION**

13 THIS DOCUMENT RELATES TO:

14 *In re Google Play Consumer Antitrust*  
*Litigation*, Case No. 3:20-cv-05761-JD

15 *State of Utah et al. v. Google LLC et al.*,  
16 Case No. 3:21-cv-05227-JD

CASE No. 3:21-md-02981-JD

**DECLARATION OF LEE M. MASON**  
**IN SUPPORT OF CONSUMER AND**  
**STATE PLAINTIFFS' OPPOSITION**  
**TO DEFENDANTS' MOTION TO**  
**EXCLUDE MERITS OPINIONS OF**  
**DR. HAL J. SINGER**

Judge: Hon. James Donato

1 I, Lee M. Mason, declare as follows:

2 1. I am an attorney duly admitted to practice in the State of Illinois and before  
3 this Court *pro hac vice*. I am an associate at Bartlit Beck LLP, and represent the consumer class  
4 in this action. I submit this declaration in support of the Consumer and State Plaintiffs'  
5 Opposition to Defendants' Motion to Exclude Merits Opinions of Dr. Hal J. Singer. The contents  
6 of this declaration are based on my personal knowledge, including my personal knowledge of the  
7 documents cited herein. The facts set forth herein are within my personal knowledge and if called  
8 as a witness, I could and would competently testify to them.

9 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Updated  
10 Merits Report of Hal J. Singer, Ph.D., dated October 3, 2022.

11 3. Attached hereto as **Exhibit 2** is a true and correct copy of the Updated  
12 Merits Reply Report of Hal J. Singer, Ph.D., dated December 23, 2022.

13 4. Attached hereto as **Exhibit 3** is a true and correct copy of the Expert  
14 Report of Dr. Gregory K. Leonard, dated November 18, 2022.

15 5. Attached hereto as **Exhibit 4** is an excerpt of a true and correct copy of  
16 the Expert "Hot Tub" hearing transcript, dated July 19, 2022.

17 6. Attached hereto as **Exhibit 5** is a true and correct copy of the Class  
18 Certification Reply Report of Hal J. Singer, Ph.D., dated April 25, 2022.

19 7. Attached hereto as **Exhibit 6** is an excerpt of a true and correct copy of  
20 the deposition transcript of Dr. Gregory K. Leonard, taken in this litigation on March 14, 2023.

21 8. Attached hereto as **Exhibit 7** is an excerpt of a true and correct copy of  
22 the deposition transcript of Hal J. Singer, Ph.D., taken in this litigation on April 4, 2023.

23 9. Attached hereto as **Exhibit 8** is a true and correct copy of Luke Froeb, et  
24 al., *Economics at the Antitrust Division: 2017–2018*, 53 REVIEW OF INDUSTRIAL ORGANIZATION  
25 637 (2018).

26 10. Attached hereto as **Exhibit 9** is an excerpt of a true and correct copy of  
27 the deposition transcript of Marc S. Rysman, Ph.D., taken in this litigation on March 10, 2023.

1 11. Attached hereto as **Exhibit 10** is a true and correct copy of Frank  
2 Verboven & Theon van Dijk, *Cartel Damages Claims and the Passing-on Defense*, 57(3)  
3 JOURNAL OF INDUSTRIAL ECONOMICS 457 (2009).

4 12. Attached hereto as **Exhibit 11** is a true and correct copy of Frank  
5 Verboven, *International Price Discrimination in the European Car Market*, 27(2) RAND  
6 JOURNAL OF ECONOMICS 240 (1996).

7 13. Attached hereto as **Exhibit 12** is a true and correct copy of webpage  
8 screenshots from the website [www.thumbtack.com](http://www.thumbtack.com), captured on May 17, 2023.

9 14. Attached hereto as **Exhibit 13** is a true and correct copy of a document  
10 produced by Google in this litigation bearing the Bates range GOOG-PLAY-000579868.R to  
11 GOOG-PLAY-000579884.R.

12 15. Attached hereto as **Exhibit 14** is an excerpt of a true and correct copy of  
13 the deposition transcript of Hal J. Singer, Ph.D., taken in this litigation on May 12, 2022.

14 16. Attached hereto as **Exhibit 15** is a true and correct copy of Nathan Miller,  
15 et al., *Pass-Through and the Prediction of Merger Price Effects*, 64(4) JOURNAL OF INDUSTRIAL  
16 ECONOMICS 683 (2016).

17 17. Attached hereto as **Exhibit 16** is a true and correct copy of a K. Sudhir,  
18 *Structural Analysis of Manufacturer Pricing in the Presence of a Strategic Retailer*, 20(3)  
19 MARKETING SCIENCE 244 (2001).

20 18. Attached hereto as **Exhibit 17** is a true and correct copy of Nathan Miller,  
21 et al., *Using Cost Pass-through to Calibrate Demand*, 118 ECONOMICS LETTERS 451, 45 (2013).

22 19. Attached hereto as **Exhibit 18** is a true and correct copy of Jerry Hausman  
23 & Gregory Leonard, *Efficiencies from the Consumer Viewpoint*, 7(3) GEO. MASON L. REV. 707,  
24 (1999), which was marked as exhibit PX-2853 in this litigation.

25 20. Attached hereto as **Exhibit 19** is a true and correct copy of a document  
26 produced by Amazon in this litigation bearing the Bates range AMZ-GP\_00002484 to AMZ-  
27 GP\_00002505.

/s/ Lee M. Mason